


87 Rec'd PCT/PTO 21 APR 1995

FORM PTO-1390 (Rev 10-9-94)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 212302000320	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, specify C. 371.1.2) Unknown	
				08/416920	
INTERNATIONAL APPLICATION NO. PCT/US93/10126		INTERNATIONAL FILING DATE October 21, 1993		PRIORITY DATE CLAIMED October 21, 1992	
TITLE OF INVENTION DIRECT SELECTION OF CELLS BY SECRETION PRODUCT					
APPLICANT(S) FOR DO/EO/US Stefan Miltenyi, Andreas Radbruch, and Rudi Manz					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>					
Items 11. to 16. below concern document(s) or information included:					
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>14. <input type="checkbox"/> A substitute specification.</li> <li>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>16. <input checked="" type="checkbox"/> Other items or information:</li> </ol>					
Certificate of Express Mailing; Fee Calculation Sheet duplicate; postcard					

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>Unknown</b>		INTERNATIONAL APPLICATION NO. <b>PCT/US93/10126</b>		ATTORNEY'S DOCKET NUMBER <b>212302000320</b>	
17. <input checked="" type="checkbox"/> The following fees are submitted:  <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Search Report has been prepared by the EPO or JPO ..... \$850.00 International preliminary examination fee paid to (USPTO (37 CFR 1.482) ..... \$660.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$730.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$980.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$ 92.00				CALCULATIONS PTO USE ONLY	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$ 660.00	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <u>  20  </u> <u>  30  </u> months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	68 - 20 =	48	X \$22.00	\$ 1,056.00	
Independent claims	6 - 3 =	3	X \$ 76.00	\$ 228.00	
			+ \$240.00	\$ 0.00	
<b>MULTIPLE DEPENDENT CLAIMS(S) (if applicable)</b>					
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1,944.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28)				\$ 0.00	
<b>SUBTOTAL =</b>				\$ 1,944.00	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <u>  20  </u> <u>  30  </u> months from the earliest claimed priority date (37 CFR 1.492(f)).				+ \$ 0.00	
<b>TOTAL NATIONAL FEE =</b>				\$ 1,944.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property				+ \$ 40.00	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1,984.00	
				Amount to be: refunded \$	
				charged \$	
a. <u>  </u> A check in the amount of \$ <u>          </u> to cover the above fees is enclosed.  b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 03-1952 in the amount of <u>\$1,984.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.  c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1952. A duplicate copy of this sheet is enclosed.					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive          (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>					
SEND ALL CORRESPONDENCE TO:					
Susan K. Lehnhardt MORRISON & FOERSTER 755 Page Mill Road Palo Alto, California 94304-1018			 SIGNATURE  Susan K. Lehnhardt NAME  <u>33,943</u> REGISTRATION NUMBER		

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ATTY DKT: 212302000320

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PATENT COOPERATION TREATY  
IN THE UNITED STATES RECEIVING OFFICE

In Re PCT Application of:

MILTENYI BIOTEC, INC. et al.

International Application No.: PCT/US93/10126

International Filing Date: 21 October 1993

Title: DIRECT SELECTION OF CELLS BY SECRETION PRODUCT

CERTIFICATE OF MAILING BY EXPRESS MAIL

Assistant Commissioner  
for Patents  
Box PCT  
Washington, D.C. 20231

ATTN: IPEA/US

Dear Sir:

Express Mail Mailing Label No.: TB790481637US

Date of Deposit: 21 April 1993

I hereby certify that the enclosed Letter with  
attachments is being deposited with the United States  
Postal Service "Express Mail Post Office to Addressee"  
service under 37 C.F.R. 1.10 on the date indicated above  
and is addressed to the Assistant Commissioner for  
Patents, Box PCT, Washington, D.C. 20231.

  
Michael Moores